IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 14TH DECEMBER 2007 / 23RD AGRAHAYANA 1929

Con.Case(C).No. 1692 of 2007(S)

AGAINST THE JUDGEMENT IN WPC.5782/2007

.....

PETITIONER/PETITIONER IN WP(C):

M.O. KESAVAN, S/O. NEELAKANTAN,
DRIVER (RETD.), KSRTC, AGED 69 YEARS,CHENGANNOOR
AND RESIDING AT MAMALAKKATTIL HOUSE,BUDHANNOOR P.O
CHENGANNOOR.

BY ADV. SRI.N.UNNIKRISHNAN
SMT.SONIA JOSEPH

RESPONDENTS: RESPONDENT NO.1 IN WP(C):

SHRI T.P. SENKUMAR, IPS,
FATHER'S NAME AND AGE NOT KNOWN TO THE PETITIONER,
CHAIRMAN & MANAGING DIRECTOR, KSRTC, TRANSPORT
BHAVAN, FORT, THIRUVANANTHAPURAM.

BY STANDING COUNSEL SRI. K. PRABHAKARAN

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 14/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

C.O.C.No. 1692 OF 2007

DATED THIS THE 14th December, 2007

J U D G M E N T

No affidavit or statement has been filed by the respondent. However, Sri. K. Prabhakaran, learned standing counsel for the K.S.R.T.C. submits that in compliance with the direction in Annexure-I judgment, an order has been passed on 1-10-2007. A copy of the order is placed before me. Sri. N.Unnikrishnan, learned counsel for the petitioner submitted that a copy of the order was received only on 7-12-2007. The order dated 1-10-2007 is obviously a pre-dated one, it is alleged. I do not propose to decide whether the order was actually passed. Sri.Prabhakaran pointed out denying Mr. Unnikrishnan's submission that in the order, there is specific direction regarding release of the benefits to the petitioner. No plausible explanation is offered regarding the delay caused in the matter of compliance in the matter. However, since orders have finally been passed, I am not inclined to initiate any contempt proceedings against the respondent. The contempt of case will stand closed. However, there will be a direction to the respondent to ensure that the petitioner receives the benefits of the order without further delay. At any rate, it will be ensured that the petitioner receives the benefits of the order

within one month form today. If the petitioner has any grievance about the order, it is open to him to challenge that part of the order in appropriate other proceedings.

(PIUS C.KURIAKOSE, JUDGE)

ks.